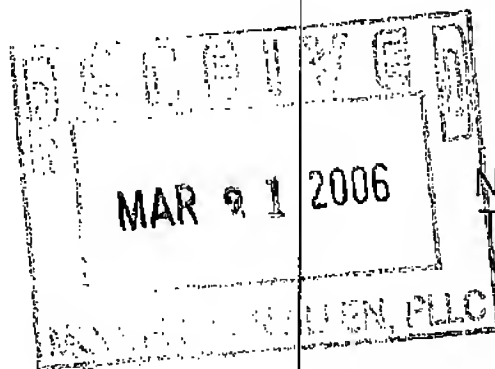


PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

STEPHENS, Gregory, A.
Moore & Van Allen PLLC
430 Davis Drive
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PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY

(PCT Rule 71.1)

Date of mailing
(day/month/year)

17.03.2006

Applicant's or agent's file reference
U03-0131.101

IMPORTANT NOTIFICATION

International application No.
PCT/US2004/024120

International filing date (day/month/year)
27.07.2004

Priority date (day/month/year)
16.12.2003

Applicant
SONY ERICSSON MOBILE COMMUNICATIONS AB et al

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international
preliminary examining authority:



European Patent Office
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference U03-0131.101		FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/US2004/024120		International filing date (day/month/year) 27.07.2004	Priority date (day/month/year) 16.12.2003	
International Patent Classification (IPC) or national classification and IPC INV. H04M1/725				
Applicant SONY ERICSSON MOBILE COMMUNICATIONS AB et al				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 18.04.2005		Date of completion of this report 17.03.2006		
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized officer Rosenauer, H Telephone No. +49 89 2399-7231		



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/US2004/024120

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-6 as originally filed

Claims, Numbers

1-16 received on 18.04.2005 with letter of 05.04.2005

Drawings, Sheets

1/3-3/3 as originally filed

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/US2004/024120

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-16
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-16
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Reference is made to the following documents:

D5: US-A-6 360 101

D6: US-A-2003/069693

A. Citations and explanations in respect of Item V:

- 1 **Document D5** (see in particular the abstract; column 1, lines 43 to 60; column 4, line 1 to column 5, line 15; figures 2, 3), discloses, according to the main features of **claim 1** (applying the terminology of claim 1 and references to D5), a method of presenting location data representing a mobile phone's current approximate location (see in particular column 1, lines 43 to 48) comprising:
in the mobile phone (see in particular column 1, lines 6 to 10):
 - determining the current position of the mobile phone (see in particular column 4, lines 1 to 6; "210" in figure 3);
 - looking up specific locations within a predetermined distance from the current position of the mobile phone (see in particular column 4, line 62 to column 5, line 3; "215" in figure 3); and
 - displaying an indication on the mobile phone display associated with and representing a specific location within the predetermined distance to the current position of the mobile phone (see in particular column 5, lines 3 to 13; "230" in figure 3).

The subject-matter of claim 1 differs from that described in document D5 merely in that the method further comprises that an icon, associated with and representing a specific location, is displayed on the mobile phone's display.

The objective technical problem to be solved may therefore be regarded as how to provide an alternative indication to a user of approaching a predetermined location.

In consulting the prior art in the general field of portable devices and related location notification procedures, the skilled person, wishing to find a solution to overcome the above mentioned problem, would come across the **document D6** (see in particular paragraphs [0026] to [0028]; paragraphs [0033] to [0035]; paragraph [0046];

paragraphs [0051] to [0056]; figures 1, 3), which discloses that the method further comprises that an icon, associated with and representing a specific location, is displayed on the mobile phone's display (see in particular paragraphs [0052] to [0053]).

For the skilled person, therefore starting from the method of presenting location data described in D5 and being aware both of the above stated problem and of the principle of the solution described in document D6, it would be obvious to apply said principle to the method described in document D5, in order to modify the method of document D5 in such a way as to provide a method of presenting iconic location data in which the above stated problem has been eliminated.

The skilled person would therefore arrive, without the exercise of inventive skill, at the method of presenting iconic location data corresponding to the subject-matter of claim 1.

The subject-matter of claim 1 therefore does not involve an inventive step, Article 33 (3) PCT.

- 2 Furthermore, **dependent claims 2 to 16** do **not** contain any additional features which, in combination with the features of any claim to which they refer, involve an inventive step for the reason that the subject-matter of said claims **either** is in principle derivable from the disclosure of document **D5** (for claim **2**: see column **4**, lines 18 to 20; for claim **5**: see column 5, lines 1 to 3; for claim **10**: see column 4, lines 3 to 4), from a similar application described in document **D6** (for claim **15**: see page 3, paragraphs [0037] and [0045]), or represents minor design details which are based on the general design competence of the person skilled in the field of mobile phones and related location representation procedures.

Dependent claims 2 to 16 therefore **do not** meet the requirements of Article 33 (3) PCT.

B. Further remarks:

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/US2004/024120

To meet the requirements of Rule 5.1 (a) (ii) PCT, the relevant background art disclosed in the documents D5 and D6 should have been acknowledged and briefly discussed in the description.

1. A method of presenting iconic location data 114 representing a mobile phone's current approximate location comprising:
 - in the mobile phone:
 - determining the current geographic position 312 of the mobile phone;
 - looking up specific locations 316 within a predetermined distance 314 from the current position of the mobile phone; and
 - displaying an icon 322 on the mobile phone display associated with and representing a specific location within the predetermined distance to the current position of the mobile phone.
2. The method of claim 1 further comprising waiting 328 a predetermined period before re-determining the current position 312 of the mobile phone.
3. The method of claim 2 further comprising prompting the user to input the predetermined period.
4. The method of claim 3 further comprising prompting the user to input the predetermined distance from the current position of the mobile phone
5. The method of claim 4 further comprising determining the distance between the current position of the mobile phone and the underlying location of the icon 114.
6. The method of claim 5 further comprising changing the appearance of the icon 114 based on the distance between the current position of the mobile phone and the underlying location of the icon 114 such that the icon 114 appears darker when the current position of the mobile phone is closer to the underlying location of the icon 114 and lighter when the current position of the mobile phone is further from the underlying location of the icon 114.
7. The method of claim 5 further comprising changing the appearance of the icon 114 based on the distance between the current position of the mobile phone and the underlying location of the icon 114 such that the icon 114 appears in a first color when the current position of the mobile phone is closer to the underlying location of the icon 114 and in a second color when the current position of the mobile phone is further from the underlying location of the icon 114.

8. The method of claim 1 further comprising displaying primary data 116 pertaining to the icon 114 including a distance and heading measurement, wherein the primary data is displayed along with the icon 114.
9. The method of claim 8 further comprising accessing and displaying secondary data pertaining to the icon 114 that can be displayed on the mobile phone wherein the secondary data pertaining to the icon 114 includes coordinate data and is accessed by selecting the icon 114.
10. The method of claim 1 wherein determining the current position 312 of the mobile phone utilizes a Global Positioning System (GPS) system within the mobile phone.
11. The method of claim 1 wherein determining the current position 312 of the mobile phone utilizes an Enhanced Observed Time Differential (E-OTD) system within the mobile phone.
12. The method of claim 1 wherein determining the current position 312 of the mobile phone utilizes a Time Of Arrival (TOA) system within the mobile phone.
13. The method of claim 1 wherein determining the current position 312 of the mobile phone utilizes a Cell Of Origin (COO) system within the mobile phone.
14. The method of claim 1 further comprising providing the icon 114 to a network server such that it can be accessed by other mobile phone users.
15. The method of claim 1 wherein icons 114 and the underlying coordinates of the icons are stored in an external icon database residing on the network wherein the external icon database is accessible to the mobile phone and contains commercially supplied icons and icon coordinates 320.
16. The method of claim 1 wherein icons and the underlying coordinates of the icons are stored in an internal icon database residing in the mobile phone wherein the internal icon database contains user-defined icons and icon coordinates 318.